

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. _____
v. : DATE FILED _____
MATTHEW HARRIS : **VIOLATIONS:**
18 U.S.C. § 2113(d) (armed
bank robbery - 1 count)
18 U.S.C. § 924(c) (use of a
firearm during a crime
of violence - 1 count)
18 U.S.C. § 922(g) (felon in possession of
a firearm)
Notice of additional factors
Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about August 27, 2004, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

MATTHEW HARRIS

knowingly and unlawfully, by force and violence, and by intimidation, took from employees of
the United Bank, 1510 Packer Avenue, Philadelphia, Pennsylvania, lawful currency of the United
States, that is, approximately \$10,135, belonging to, and in the care, custody, control,
management and possession of United Bank, the deposits of which were insured by the Federal
Deposit Insurance Corporation, and, in so doing, defendant MATTHEW HARRIS, did
knowingly and unlawfully assault and put in jeopardy the lives of the employees of United Bank,
and other persons, by use of a dangerous weapon, that is, that is a Llama (Gabilondo & CIA)

Model Mini Max, 45 caliber pistol, serial number 07-04-03071-96.

In violation of Title 18, United States Code, Section 2113(d).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2004, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

MATTHEW HARRIS

knowingly used, and carried, a firearm, that is, a Llama (Gabilondo & CIA) Model Mini Max,
45 caliber pistol, serial number 07-04-03071-96, during and in relation to a crime of violence for
which he may be prosecuted in a Court of the United States, that is, armed bank robbery of the
United Bank at 1510 Packer Avenue, Philadelphia, Pennsylvania, in violation of Title 18, United
States Code, Section 2113(d).

In violation of Title 18, United States Code, Section 924(c).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

MATTHEW HARRIS,

having been previously convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce, a firearm and ammunition, that is a Llama (Gabilondo & CIA) Model Mini Max, 45 caliber pistol, serial number 07-04-03071-96, loaded with ten live rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this indictment,
defendant MATTHEW HARRIS:
 - a. Took the property of a financial institution, as described in U.S.S.G. § 2B3.1(b)(1).
 - b. Made a threat of death, as described in U.S.S.G. § 2B3.1(b)(2)(F).
 - c. Brandished a firearm, as described in U.S.S.G. § 2B3.2(C).
 - d. Committed an offense in which the loss exceeded \$10,000, as described in U.S.S.G. § 2B3.1(b)(7)(a).
 - e. Was a prohibited person at the time the defendant committed the offense, as described in U.S.S.G. § 2K2.1(a)(6)(A).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 2113 set forth in Count One of this indictment,

MATTHEW HARRIS

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense, as charged in this indictment, including, but not limited to, the sum of \$10,135.85.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) Cannot be located upon exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, an third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States
Code Sections 924(d) and 981(a)(1)(C)

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney